

LAW OFFICE OF
ZACHARY MARGULIS - OHNUMA

July 18, 2013

Via ECF and U.S. Mail

Hon. Kiyo A. Matsumoto
United States District Judge
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

RE: U.S. v. Evan Pena, 13-cr-259

Dear Judge Matsumoto:

This office represents the defendant Evan Pena in the above-captioned case. I write, with no objection from the government or pretrial services, to request that his conditions of release be modified to remove the requirement of home detention and electronic monitoring.

Mr. Pena was arrested on April 4, 2013 and released pursuant to a bail package five days later. The bail package, which was secured by property, included home detention and electronic monitoring with permission to leave home to go to work, court, attorney visits and to pick up his son from school. Travel was originally restricted to the Southern and Eastern Districts of New York, but was extended by an order dated June 6, 2013 granting Mr. Pena's motion to extend his travel permission to include the District of New Jersey with prior notice to Pretrial Services. See Docket No. 48 (Letter Motion).

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Mr. Pena has been in full compliance with all conditions of his pretrial release since he was freed in April. He has been working and caring for his young son. He lives with his brother in Yonkers and his extended family remains fully supportive of him. I spoke earlier this week with his pretrial services officer, Leo Barrios of the Southern District of New York, who informed me that he would have no objection to Mr. Pena's conditions being modified to remove the requirements of home confinement and electronic monitoring. I spoke today to AUSA Cristina Posa, and she advised that the government also has no objection so long as Mr. Pena's travel remains restricted to the Southern and Eastern Districts of New York and the District of New Jersey. Accordingly, I request that these restrictions be removed at this time.

Thank you for your attention to this case.

Very truly yours,

A handwritten signature in black ink, appearing to be 'ZM' followed by a horizontal line.

Zachary Margulis-Ohnuma

CC: AUSA Cristina Posa, Esq. (via ECF)
Officer Leo Barrios (via email)